Exhibit 40

Fixed Income Capital Markets 2008 Financial Analyst Year-End Performance Review

	2000	Tinanciai Anary	ysi Year-End	Perfor	mance Re	eview	
Financial Analyst: Manager Name:	Chia Nich	Siu Fluelw		Group: Pate:	Hous	in 28	
Performance Skill Sta (Rating Description: A	andards: I = Superior, 2= L	Exceeds, 3= Meets, 4=		-	O evelopment N	eeded)	
SHARED RESPO	ONSIBILITIES Our Clients references to other		ATTITUDE				N/A
Responsibility to Shares co Establish peers and	Each Other redit for successe: les an inclusive ar d subordinates wi	s; accepts responsibility	y for mistales			;	
0111103 101	ocal cultures and "best in class" p	takes an active role in actices to be industry egrity in decisions and	and marked lead.			- -	N/A N/A
		IBILITIES RATIN	G '			_	1
Technical Skills	e strong quantitativ f relevant markets	re skills and expert kno s. owledge of technology				 ee	<u> </u>
 Confronts 		nest, direct, and constr	ructive manner.				1
Other:OVERALL QUAN	TITATIVE SK					Manage	
	and supports othe	rs. Shares ideas and re les. Interacts well with proves own work.	esources. Open and	candid w	/hen írm. Willing t	0	
	responds to challe methods quickly	nges and issues. Comp Responds well to pres	pletes projects exp ssure; demonstrate	editiously s flexibili	; grasps conce ty.	epts	2_
OVERALL QUALIT			NG	ALL-STATE LEGAL®	AINTIFF'S XHIBIT		1
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Strengths:

Chia is very rehable and does a fantastic pb with clients and projects. She takes initiative and is a very valuable wember of an howing

Developmental Needs:

OVERALL RATING

(Please PRINT)

As Chia's shills are further refined, she should endeavor to further coment our dient relations by expanding her client contact.

Overall:

Great job! Keep up the super north

I have shown	and discussed this review with the Financial Analyst.	
Manager	Nich Huel Signature	Date 6/20/08
Appraisers	(Please PRINT)	Date 6/20
түрт тасгу	(Please list all individuals who provided feedback for this employee's review.)	the second secon
Financial Analyst	Signaturak	

^{*} The financial analyst's signature acknowledges that a year-end review discussion has taken place. The financial analyst's signature does not indicate that the financial analyst necessarily agrees with the performance review. Financial analysts should feel free to attach any comments relating to this review.

Performance Management Assessment

Combined Assessment Year End: 2008

Employee: Tian (Tim) Yang

Direct Manager: Martin A. Feinstein Completed By: Martin A. Feinstein

Part I - "How We Do Business"

SERVE OUR CLIENTS WITH DISTINCTION	Employee Rating	Manager Rati	ng
Builds Client Relationships Puts clients first; anticipates, understands and exceeds client expectations and needs. Gains the trust and respect of clients. Solicits, listens and responds to client feedback.	3 - Effective		and the control of th
Delivers Client Solutions Continuously delivers superior advice, products and services; leverages internal expertise. Identifies opportunities to improve products and services. Recognizes and encourages cross business opportunities to meet client needs; provides references to other businesses where appropriate.	3 - Effective		
Leverages Functional and Business Knowledge Knows how the business works; understands the company's products, services and policies. Keeps abreast of industry trends and marketplace strategies. Keeps current on developments in his/her area of functional expertise. Applies functional and business knowledge to maximize effectiveness.	4 - Partially Effective		
Employee Comments: Manager Comments:		ere y gange v m s	
		e eget et e. Guerra	
BUILD A GREAT TEAM	Employee Rating	Manager Rati	ing

Performance Management Assessment

Manages Performance (People Managers Only)

- . Sets clear and measurable goals.
- Provides ongoing, candid and constructive feedback.
- Recognizes and rewards based on merit.

Recruits, Develops and Retains Talent (People Managers Only)

- . Attracts and hires top tier talent.
- Encourages effective development plans are created and executed.
- Coaches and mentors others to improve performance.
- Moves individuals into challenging, developmental assignments and supports cross business mobility.
- . Builds a diverse talent pipeline at all levels.
- . Ensures leadership succession.

Builds Partnerships and Values Diversity

- Establishes an inclusive and positive team oriented work environment and treats all employees with dignity and respect.
- · Values and leverages diverse perspectives.
- Collaborates with others to achieve common goals and breaks down silos.
- Shares ideas and best practices across businesses, products and geographies.

Communicates Effectively

- Communicates clearly and concisely, both orally and in writing.
- Influences the decisions and opinions of others without having direct authority.
- Keeps others informed by passing on relevant information in a timely manner.
- Remains objective and resolves conflicts when they arise.

N/A - Not Applicable

N/A - Not Applicable

3 - Effective

3 - Effective

Employee Comments:

Manager Comments:

PRODUCE RESULTS WITH INTEGRITY/ LEAD THROUGH INNOVATION **Employee Rating**

Manager Rating

Performance Management Assessment

Drives Results

- Leads by example, demonstrating ethics, judgment and integrity in decisions and actions.
- Strives for "best in class" practices to be industry and market leader; demonstrates a desire to win.
- Gets things done; overcomes obstacles and minimizes bureaucracy.
- . Holds self and others accountable for results.
- Translates vision into clear strategies and specific priorities.

Uses Sound Judgment

- Puts long-term interests above short term gains; thinks and acts like an owner.
- Escalates issues when necessary and appropriate.
- Probes beyond symptoms to determine the underlying causes of problems.
- Seeks input and advice from others before making decisions.
- Makes decisions in a timely manner, balancing a need for action with a need for analysis.
- Develops strategies that contribute to sustainable business growth.

Innovates and Manages Change

- Inspires creativity and encourages others to continuously improve.
- Develops innovative solutions that enhance our products, services and processes.
- Challenges the status quo and traditional thinking.
- . Works effectively in the face of ambiguity and adapts to change.
- Communicates the need for change and inspires action.

Manages Risk and Control

- Takes responsibility for strong control environment; effectively uses Risk Control Self Assessment as a reliable framework for managing control structure.
- Proactively manages risk; considers risk and control issues when developing new products and executing transactions.
- Ensures transparency and candor in dealing with risk and control issues.
- Incorporates risk and control perspectives in strategic plans and budgets.
- (For Control Staff Only) Collaborates with business staff to find solutions to control issues; willing to accept measured and transparent risk-

3 - Effective

4 - Partially Effective

3 - Effective

3 - Effective

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Performance Management Assessment		
taking where appropriate.		
Pursues Learning and Self Development Recognizes personal strengths and development needs and is committed to self-improvement. Learns from and accepts responsibility for mistakes. Pursues continuous learning by seeking feedback from others.	4 - Partially Effective	
Employee Comments:		
Manager Comments:		Per contraction of the contracti
Overall "How We Do Business" Rating	Employee Rating	Manager Rating
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Part II - Goals - W There are no goals.	hat Business We Do	
Overall Goal Comments		Silver of the second se
Employee Overall Goal Comments: Primary goal for upcoming year is to develop stronge improve on accuracy and efficiency. I hope to assert our business.	myself more during deals a	nd contribute new ideas to
Manager Overall Goal Comments:		
Overall Goals Rating	Employee Rating	Manager Rating
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Part III - Manager Overall Rating and Comments

Performance Management Assessment

Manager Overall Rating

Manager Overall Comments

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Employee	Signature:	Date:	
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Manager	Signature:	Date:	
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Combined Assessment Year End: 2008

Employee: Raymond V. High

Direct Manager: Martin A. Feinstein

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Completed By: Martin A. Feinstein

Part I = "How We Do Business"

SERVE OUR CLIENTS WITH DISTINCTION	Manager Rating
Builds Client Relationships • Puts clients first; anticipates, understands and exceeds client expectations and needs. • Gains the trust and respect of clients. • Solicits, listens and responds to client feedback.	у от ути у сил на не у стити и у стити у стити у стити и стити
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Manager Comments:

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Communicates Effectively Communicates clearly and concisely, both orally and in writing. Influences the decisions and opinions of others without having direct authority. Keeps others informed by passing on relevant information in a timely manner. Remains objective and resolves conflicts when they arise.	ga me i mereti net rezervenen geder vinde erezenen de betrikken betrikken de seriene.
Employee Comments:	Ti dina esta di produce a con a con a con a dina di predicti per a completo completo del con del con a con a d Con a con
Manager Comments:	on terror a portacione di tras e del celebrato con al esperanda de considera e en este decembra de considera d Considera de la considera de consider

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PRODUCE RESULTS WITH INTEGRITY/LEAD	
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	Manager Rating
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THROUGH INNOVATION	
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Leads by example, demonstrating ethics, judgment and integrated in the second s	ority 4
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Pursues Learning and Self Development

• Recognizes personal strengths and development needs and is committed to self-improvement.

•	Learns	from	and	accepts	respo	onsibility	for	mistakes
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• Pursues continuous learning by seeking feedback from others.

Employee Comments:

Manager Comments:

Š	Overall "How We Do Business" Rating	Manager Rating
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Part II - Goals - What Business We Do

Goal 1

Published to Directs: No

Responsibility To Our Clients

Builds Client Relationships - Goals

To understand each client's mission and then focusing on developing innovative solutions that fit their specific needs.

Develop a relationship with the clients that is build on trust to allow ideal communication and ultimately results. Give them confidence in my ability to get the job done with proven results and effectiveness.

Enhance communication lines with clients to develop honest feedback in ways to mutually improve.

Delivers Client Solutions - Goals

Throughout each step of a transaction, and ultimately at the end, leave the client fully satisfied and confident with the superior service and advice being provided. Take knowledge of each client to modify existing products and develop new ones to better fit the clients needs and goals, including leveraging other areas of the firm where there could mutually beneficial opportunities.

Leverages Functional and Business Knowledge - Goals

Enhance value to the customers by knowing the firm's products and services and how they may be applied in various situations.

Keep abreast of market and industry trends and strategies to present clients with

an ideal solution.

Demonstrate a command of the products offered and industry trends to further instill confidence in the ability to provide superior service.

Manager Rating

Employee Comments:

Manager Comments:

Goal 2 Published to Directs: No

Responsibility To Each Other

Recruits, Develops and Retains Talent - Goals

Participate in internal and external forums and events to help recruit top talent. Work with new members in the housing group and firm to assist their in the development. Serve as both a mentor and colleague to help them develop their skills and talents.

Challenge individuals to continuously improve.

Builds Partnership and Values Diversity - Goals

Utilize a team approach. Listen to input from all sources to obtain maximize the point of view. Collaborate, using the diverse opinions to deliver the best results. Develop and cultivate relationships across the firm.

Treat others with respect.

Project a positive and upbeat point of view.

Keep others in all business units and geographies cognizant of new ideas and developments.

Communicates Effectively - Goals

Keep others aware of client, product and market developments.

Keep clients aware of pertinent market developments and the effect these changes may have on them.

Clearly discuss the pros and cons of certain financing instruments and strategies with clients to ensure they base their decisions on the best information available. In difficult situations, maintain composure to develop and implement effective decisions.

Manager Rating

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Employee C	omments:				
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Manager Co	mments:				

Goal 3 Published to Directs: No

Responsibility To Our Franchise

Drives Results - Goals

Always strive to deliver a superior product.

Keep a positive attitude.

Strong work ethic.

Team Player

Keeping strong moral fiber when making decisions and take accountability for work product and results. Have pride in the product.

Clearly lay out expectations and then hold others accountable for their work.

<u>Uses Sound Judgment - Goals</u>

Understand the long-term goal and objectives.

Before taking action, evaluate each situation to determine a plan of action, and then act in an appropriate manner to complete the take in a timely and efficient manner.

Balance self-sufficiency and escalation. Come up with solutions to problems but make sure to escalate for approval when the situation warrants.

Innovates and Manages Change - Goals

Do not accept the status quo.

Look for ways to leverage existing products and create new ones.

Collaborate with others in order to cultivate discussion and generate new ideas and products.

Accept changing environment such as change in personnel, work dynamic, role and environment.

Do not change just for the sake of changing. Make calculated changes aimed at specific improvements or benefits.

Manages Risk and Control - Goals

Understanding that compliance and disclosure is becoming more important in every task we undertake, keep current on industry trends and be a leader in making sure all relevant aspects of a transaction are disclosed.

The firm has practices and procedures to be an industry leader, protecting

individuals, the firm and our clients from regulatory problems. Follow these procedures in all instances, as well as getting clarification when the policy doesn't fully cover a specific topic.

Escalate potential problems as soon as they arise.

Pursues Learning and	Self Development - Go	<u>oals</u>			
Continue to re	ke online learning court ad, ask questions and n others, both superiors a	ot accept the norm.			
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Manager Rating	Andrew Company				
Employee Comment	s:				
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Part	t III - Manager Overal	I Rating and Comm	ents		
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Manager Overall Rating 3 - Effective					
Manager Overall Comments		en e	eren eren eren eren eren eren eren eren		
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Employee Signature:			Date:		
Manager Signature:			Date:		